

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION

BRENDA DAVIS, et al.,	)	
Plaintiffs,	)	Case No.: 5:17-cv-06058-SJ-NKL
	)	
v.	)	
	)	ORAL ARGUMENT REQUESTED
BUCHANAN COUNTY, MISSOURI, et al.,	)	
Defendants.	)	

**DEFENDANTS ADVANCED CORRECTIONAL HEALTHCARE, APRIL HELSEL,  
CATHERINE VAN VOORN, M.D., AND ANN SLAGLE’S MOTION FOR PARTIAL  
SUMMARY JUDGMENT ON COUNT IV OF PLAINTIFFS’ COMPLAINT AND  
ACCOMPANYING REQUEST FOR PUNITIVE DAMAGES**

COME NOW defendants Advanced Correctional Healthcare (“ACH”), April Helsel, Catherine Van Voorn, M.D., and Ann Slagle, by and through the undersigned counsel, and pursuant to F.R.C.P 56, Local Rule 7.0 and 56.1, respectfully request this court enter an Order dismissing plaintiffs’ claim for punitive damages with prejudice. There is no genuine issue of material fact and the law does not support an award of punitive damages in this case. This Court must enter summary judgment with respect to the claim for punitive damages.

In Count IV of the Complaint, plaintiffs assert a 42 U.S.C. § 1983 claim against Dr. Van Voorn, Ann Slagle, and April Helsel. Plaintiffs must show defendants were “deliberately indifferent”; that is, defendants intentionally and knowingly disregarded Justin Stufflebean’s serious medical needs. There is no genuine issue of fact and plaintiffs have failed to prove defendants were deliberately indifferent with respect to their care and treatment of Stufflebean.

WHEREFORE, defendants Advanced Correctional Healthcare, Dr. Van Voorn, Helsel, and Slagle respectfully request this Court enter summary judgment on the request for punitive damages and plaintiffs’ 42 U.S.C. § 1983 claims.

**NORRIS KEPLINGER  
HICKS & WELDER, LLC**

By: /s/ John Hicks  
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POWERS, ANN MARIE SLAGLE,  
CATHERINE VAN VOORN, ADVANCED  
CORRECTIONAL HEALTHCARE**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of July, 2019, the above and foregoing document was filed and served on counsel of record via the Court's ECF system.

/s/ John Hicks  
Attorney for Defendant Advanced Correctional  
Healthcare, Inc.